

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

Jonathan R. Boyce, et. al.

Case No. 3:18 CV 1622

Plaintiff,

ORDER ADOPTING
REPORT AND RECOMMENDATION

-vs-

JUDGE JACK ZOUHARY

Commissioner of Social Security,

Defendant.

Plaintiff Douglas Boyce filed a Motion for Injunctive Relief requesting that Defendant Commissioner of Social Security cease collection of all overpayments from Jonathan Boyce, the claimant, and Douglas Boyce, as representative payee (Doc. 33); Defendant filed a Response (Doc. 34). Under Local Civil Rule 72.2(b)(2), this case was referred to Magistrate Judge David A. Ruiz for a Report and Recommendation (“R&R”), which recommends the Motion for Injunctive Relief be denied without prejudice as moot, given that the parties appear to have resolved the payment discrepancy (Doc. 35).

Under 28 U.S.C. § 636(b)(1), a party must file any written objections to the Magistrate’s proposed findings and recommendations within fourteen (14) days of being served with the R&R, at which time this Court makes a de novo determination of the portions of the R&R to which objections were made. The failure to file objections within the time frame set forth in the statute constitutes a waiver of de novo review by the district court. *See United States v. Sullivan*, 431 F.3d 976, 984 (6th Cir. 2005); *Thomas v. Arn*, 474 U.S. 140 (1985).

The fourteen-day deadline has passed, and no objections have been filed. Therefore, having reviewed the R&R, this Court adopts it in its entirety. *See Miller v. Currie*, 50 F.3d 373, 380 (6th Cir. 1995). The Motion is denied.

IT IS SO ORDERED.

s/ Jack Zouhary
JACK ZOUHARY
U. S. DISTRICT JUDGE

December 10, 2020